

EXHIBIT 9

From: Jeffrey Gunnell <Jeffrey_Gunnell@txwd.uscourts.gov>

Sent: Wednesday, October 13, 2021 1:52 PM

To: Chiaviello, Elizabeth M. <elizabeth.chiaviello@morganlewis.com>; mark waltfairpllc.com <mark@waltfairpllc.com>

Cc: WSOU v. OnePlus <WSOUvOnePlus@kasowitz.com>; Hsu-Hoffman, Ahren C. <ahren.hsu-hoffman@morganlewis.com>; Minne, Jacob J.O. <jacob.minne@morganlewis.com>; Lyons, Michael J. <michael.lyons@morganlewis.com>

Subject: RE: WSOU v. OnePlus - Case Nos. 6:20-cv-00952 - 00958 - Discovery Dispute and Request For Hearing

[EXTERNAL EMAIL]

Counsel,

A hearing is unnecessary for the attached dispute. Frankly, the Court does not understand how this dispute was not resolved during the meet and confer process. The following is pulled directly from the joint dispute chart:

- **Relief Sought by OnePlus:** "Order Plaintiff to serve amended infringement contentions addressing all of the deficiencies identified by OnePlus within two weeks, or withdraw any deficient contentions." P. 1.
- **Response by WSOU:** "Moreover, WSOU is diligently conferring with its experts to provide amended infringement contentions and will provide updated contentions within two weeks." P. 3.

Everything within the **joint chart** indicates that this dispute will likely be resolved in two weeks, absent any intervention by Court.

If the amended preliminary infringement contentions are insufficient after two weeks, the parties may reach back out to the Court. Please note that the Court is willing to assist in the resolution of disputes, but here, no meaningful dispute seems to exist. The Court also agrees with WSOU, that such an issue is more deserving of a motion than a discovery dispute hearing, should the issue persist two weeks from now. If a motion is filed, please feel free to email the Court so that it can be addressed in a timely manner. Last, OnePlus's request for a stay on discovery deadlines is DENIED.

Many thanks,

Jeffrey R. Gunnell

Law Clerk to the Honorable Alan D Albright

United States District Court, Western District of Texas

From: Chiaviello, Elizabeth M. <elizabeth.chiaviello@morganlewis.com>

Sent: Tuesday, October 12, 2021 7:21 PM

To: Jeffrey Gunnell <Jeffrey_Gunnell@txwd.uscourts.gov>; mark waltfairpllc.com <mark@waltfairpllc.com>

Cc: WSOU v. OnePlus <WSOUvOnePlus@kasowitz.com>; Hsu-Hoffman, Ahren C. <ahren.hsu-hoffman@morganlewis.com>; Minne, Jacob J.O. <jacob.minne@morganlewis.com>; Lyons, Michael J. <michael.lyons@morganlewis.com>

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CAUTION - EXTERNAL:

Mr. Gunnell,

As a follow up to the September 23 hearing in the above referenced matters, OnePlus writes to update the Court that counsel for WSOU and OnePlus conducted a meet and confer regarding the parties' dispute over the sufficiency of WSOU's infringement contentions and we remain at an impasse. Attached for the Court's consideration is an updated chart that was previously submitted concerning this dispute, and contains both parties' respective positions. OnePlus can be available for a hearing at the Court's convenience.

Please let us know if you have any questions. Thank you in advance for your time.

Elizabeth M. Chiaviello

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